REMARKS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

At paragraph 1 of the outstanding Office Action the Examiner has objected to the disclosure based on two informalities. Applicants have amended the specification to cure the objections noted by the Examiner, and therefore request that these objections to the specification be withdrawn.

At paragraph 2 of the outstanding Office Action the Examiner has objected to claim 15 as including an improper claim dependency. Applicants have amended claim 15 to depend from claim 14 rather than claim 9, and therefore request that the objection to claim 15 on this ground be withdrawn.

At paragraph 4 of the outstanding Office Action the Examiner has objected to claims 1-7 and 9-15 under 35 U.S.C. §102(b) as being anticipated by Hayes (U.S. Patent No. 5,799,266). Applicants respectfully traverse the rejection.

Applicants have amended independent claims 1 and 9, and as well as a number of the dependent claims, to more specifically describe the invention as applying to a method for storing operational settings of a test instrument including initiating the saving operation for saving a set of values reflecting settings of, and adjustments to, the test instruments made by a user, determining each of the internal variables belonging to each of a plurality of hierarchical software objects employed in the operation of the test instrument, saving the determined results to a file in a hierarchical structure, and recalling the file and setting the operational settings of a different test instrument in accordance with the recalled internal variables.

While Hayes describes that a driver generator receives test expressions and specifications of test attributes values, and that the generator generates a test driver that executes test functions

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for all combinations of specified attribute values, there is no disclosure of storing and recalling the internal variables as claimed. Indeed, Hayes is not at all concerned with storing values related to a test instrument, but rather generating test expressions to be used on a particular instrument.

Because Hayes fails to depict the features now shown in independent claims 1 and 9, as well as dependent claims 2-7 and 10-15, depending either directly or indirectly therefrom, Applicants respectfully request that the rejection of these claims under 35 U.S.C. §102(b) be withdrawn.

At paragraph 6 of the outstanding Office Action the Examiner has rejected claims 8 and 16 under 35 U.S.C. §103(a) as being unpatentable over Hayes in view of Watts (U.S. Patent Application Publication 2001/0003835). Applicants respectfully traverse the rejection.

Claims 8 and 16 depend indirectly from one of allowed claims 1 and 9, respectively, and are therefore allowable for this reason alone and additionally as presenting independently patentable combinations in and of their own right. Applicants therefore respectfully request that the rejections of claims 8 and 16 under 35 U.S.C. §103(a) be withdrawn.

Applicants present new claim 17 including subject matter similar to that of claim 1 and including further elements related to the modifying of the internal variables to be recalled by a different test instrument. Therefore, Applicants submit that claim 17 is allowable over the prior art of record relied upon by the Examiner for the same reasons noted above with respect to claims 1 and 9. Applicants therefore submit that the rejection of claim 17 would be improper.
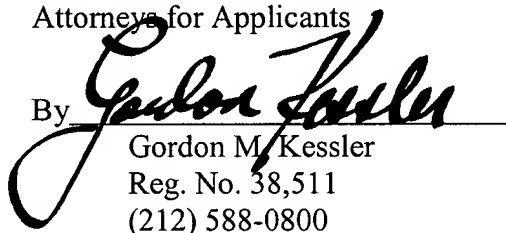
CONCLUSION

Applicants have made a diligent effort to place claims 1-17 in condition for allowance, and notice to this effect is earnestly solicited. If the Examiner is unable to issue a Notice of Allowance regarding these claims, the Examiner is respectfully requested to contact the undersigned attorney in order to discuss any further outstanding issues.

Early and favorable consideration are respectfully requested.

Respectfully submitted,

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